

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR08-082-RSL
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
LAVELLE ANTELL DANIEL,)	
)	
Defendant.)	
_____)	

Offense charged: Conspiracy to Distribute cocaine and Crack Cocaine

Date of Detention Hearing: March 25, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both

dangerousness and flight risk, under 18 U.S.C. §3142(e).

2. With a prior VUCSA charge as part of his criminal record, if alleged, defendant faces a potential mandatory minimum charge of 20 years to life. The defendant provided evasive answers during his interview with Pretrial Services, including declining to indicate whether he was employed. The AUSA proffers that his residence was the locale of the alleged drug trafficking upon which the indictment is based, and that defendant's children were present during some of this trafficking. The AUSA alleges that defendant is known to his prior Department of Corrections supervising officer as an active gang member. Marijuana plants and a firearm were allegedly recovered during a search of his residence.

3. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of

01 an appearance in connection with a court proceeding; and

- 02 (4) The clerk shall direct copies of this Order to counsel for the United States, to
03 counsel for the defendant, to the United States Marshal, and to the United States
04 Pretrial Services Officer.

05 DATED this 26th day of March, 2008.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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